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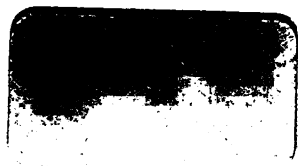
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1915

CRIME IN CHICAGO

(Reprinted from The New Republic)

The appointment of a new "Crime Commission" in Chicago while the findings of the recent aldermanic "Committee on Crime" are still, as it were, warm from the press, seems to indicate an increased public concern over a neglected subject. The report of the City Council Committee on Crime, of which Professor Charles E. Merriam was chairman, brought out clearly two different aspects of the problem: (1), in the words of the report, "that professional criminals escape the penalties of the law and prey at will upon society"; (2), that the jails and prison houses of Chicago, designed for the persons who elude or escape the police, are filled with "poor and petty criminals" or persons who are not guilty of any crime at all. The chairman of the Committee laid most stress upon Chicago's failure to apprehend and to deal with the habitual criminal, but the other aspect of the crime problem—the wrongs of the poor who suffer from unjust arrests and imprisonment—is perhaps of greater importance to society in the long run.

To abolish or amend the iniquitous system by which men are imprisoned not for their crimes but for their poverty has for many generations been the cherished hope of a host of earnest men and women seeking the ends of social justice. Sober reformers like John Howard, enthusiasts like Dickens, and courageous women like Elizabeth Fry gave blood and tears to this cause. It is now nearly a hundred and fifty years since John Howard made the English people understand the difference between the imprisonment of "felons" who had been found guilty and sentenced, and the imprisonment in the same jails of persons who were held in prison merely because they were too poor to pay their fines and fees or to furnish the necessary bail for release pending trial. Indeed, the cause is older than John Howard, for one Thomas Firmin, so long ago as 1678, in his pamphlet dealing with "Some Proposals for the Employing of the Poor," described the work of one man who "within little more than two years with the charity of some worthy persons hath delivered out of Prison about five hundred poor people who lay

there either for their fees or for very small debts." But this seventeenth century philanthropist found that he was engaged in sweeping back the tides of the sea and could only reflect that in spite of his efforts the great gaols of seventeenth century London were still "very full" of poor prisoners. There could be no relief until the iniquitous system of imprisonment for poverty should be abolished.

So the recent report of the Chicago Crime Committee showed that today the jails are still "very full" of poor prisoners, and that many thousands of men and boys suffer the penalties of unjust arrest and imprisonment every year. To put this concretely: The report of the Crime Committee showed that out of 109,764 persons arrested in a single year less than ten per cent were arrested on felony charges. The great mass of persons arrested—90 out of every 100—were arrested for trivial offenses or for no offense at all, as evidenced by their discharge in court. That few arrests were for serious offenses is clear from the disposition of the cases in court. Only 2,182 (2 per cent) were held for the grand jury, only 141 (1/10 of one per cent) were sentenced to the county jail, only 1,935 (1.8 per cent) were sentenced to the House of Correction, only 40 per cent of the total number were fined, and the others, more than half of all the persons arrested, were discharged in the municipal court.

Surely these are small consequences as a result of all the misery involved in nearly 110,000 arrests. No statistics are kept showing how many of these men and boys spent one or more nights in the police stations, or one or more weeks in the county jail, but the number, judging from the information at hand, must run well up to 50,000, if not beyond. And it must be emphasized that the hardships involved in needless arrests are hardships that fall almost exclusively upon the poor. The well-to-do are not arrested for trivial offenses. The system that involves the arrest of thousands of men and boys every year for offenses so slight that no judge will even fine them is a system of which the poor may be said to be the exclusive victims. In the courts they have no one to speak for them; they do not know how to speak for themselves; they are declared not guilty

and discharged, but nothing is done to alter the system that makes it possible for this misery to continue.

Moreover, a study of the report shows that even the prisoners who were sentenced were in the vast majority of cases sentenced because of their poverty. Thus out of 14,709 prisoners in the House of Correction, 12,124, or 82 per cent of the whole number, were there only because they were too poor to pay the small fines imposed upon them. An examination of the House of Correction records for a period of four years showed that the number of persons imprisoned for the non-payment of fines ranged from 82 to 87 per cent of all the persons imprisoned during that time, and more than half of these persons were committed for fines of less than \$20. According to the report of the Committee, these fines are "laid out" in the Bridewell at the rate of fifty cents a day, and the fines are therefore paid, in reality, in two ways: (1), by the taxpayers, for the expense of maintaining Bridewell prisoners is forty-six cents per man per day and the total cost of maintenance in a year is nearly \$300,000; and (2), by the men and their families in the privation and deep humiliation that they suffer; the report notes that "this system which virtually sends men to jail because of their poverty is not only unjust but demoralizing to the individual and costly to the state."

The other great harvest of Chicago's prisoners is stored in the Cook county jail. The Committee's report showed that out of 8,593 persons who were held in this jail last year the vast majority were prisoners only because they were too poor to furnish bail pending trial; only 621 of the whole number were, when tried, found guilty and sentenced to the state reformatory or penitentiary or county jail. Seven hundred and sixty-four others were sent to the House of Correction, but the majority of these were committed, as has been said, not because of their crimes, unless poverty be a crime, but because they could not pay the small fines imposed upon them. Thus something like 90 per cent of the prisoners in the steel cages of Cook county's medieval jail are there only because they cannot furnish bail during the period that the law is taking its slow and uncertain

course. The law of Illinois provides that any person awaiting trial may be released on bail "except in capital offenses where the proof is evident or the presumption great." The report of the Committee showed only 219 persons who were held on non-bailable offenses. The thousands of men and boys locked up every year in the jail, then, are not imprisoned for any crime, they are not found guilty when they are tried. Only a very small percentage are given any kind of a jail sentence when they finally come to trial, and the others, about seven thousand every year, become "jail-birds" and suffer the penalty of imprisonment only because they are too poor to provide the necessary bonds.

It is important to note the data collected by the Crime Committee regarding the length of time these unfortunate men and boys were held awaiting trial. The report showed that while the majority of them were there for less than one month, 1,660 of them were kept in jail for periods varying from four weeks to sixty-three weeks. There was not sufficient evidence against some of these men even to secure an indictment by the Grand Jury, and it appears that 251 of the men against whom "no bills" were returned were held in jail for periods ranging from two to sixteen weeks, which means that a terrible punishment was inflicted upon people whose offenses did not justify their being held for trial.

In 1910, when the International Prison Congress met in Washington, the foreign delegates were taken to various cities in the country to examine their jails and prisons. Everywhere the delegates expressed horror and surprise at the spectacle of hundreds or thousands of presumably innocent persons locked up in cells merely awaiting trial. Over and over again they exclaimed, "In Europe this condition would never be tolerated." Only in the "land of freedom" could freemen be deprived of their liberty in this way.

It is to be hoped that Chicago's new Commission will concern itself not only with the escape of professional criminals but with the arrest of innocent persons and the imprisonment of men whose only crime is their poverty.

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